

UNITED STATES DISTRICT COURT
for the
Western District of Virginia

APR 21 2015
JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

United States of America)
v.)
ELISSA SUE COX SMITH) Case No: 4:09CR00029-002
Date of Previous Judgment: 01/21/2010) USM No: 14074-084
(Use Date of Last Amended Judgment if Applicable)) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 120 months is reduced to 108 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 31 Amended Offense Level: 29
Criminal History Category: II Criminal History Category: II
Previous Guideline Range: 121 to 151 months Amended Guideline Range: 97 to 121 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
 The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
 Other (explain):

III. ADDITIONAL COMMENTS

*Defendant is sentenced to 108 months, but not less than time served. Defendant's sentence consists of 48 months on Count 1 and 60 months on Count 8, to run consecutively.

Except as provided above, all provisions of the judgment dated 01/21/2010 shall remain in effect.

IT IS SO ORDERED.

Order Date: 4/21/2015

Effective Date: 11/01/2015
(if different from order date)


Judge's signature
Hon. Jackson L. Kiser, Senior U.S. District Judge
Printed name and title